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(Original Signature of Member)

110TH CONGRESS
1ST SESSION

H. R.

To further inform consumers about the transition to digital television.

IN THE HOUSE OF REPRESENTATIVES

Mr. BARTON of Texas (for himself, Mr. UPTON, and Mr. HASTERT) introduced the following bill; which was referred to the Committee on

A BILL

To further inform consumers about the transition to digital television.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Digital Television Con-
5 sumer Education Act of 2007”.

6 **SEC. 2. CONSUMER EDUCATION.**

7 (a) CONSUMER EDUCATION REQUIREMENTS.—Sec-
8 tion 330 of the Communications Act of 1934 (47 U.S.C.
9 330) is amended—

1 (1) by redesignating subsection (d) as sub-
2 section (e); and

3 (2) by inserting after subsection (c) the fol-
4 lowing new subsection:

5 “(d) CONSUMER EDUCATION REQUIREMENTS RE-
6 GARDING ANALOG RECEIVERS.—

7 “(1) REQUIREMENTS FOR RETAILERS.—Not
8 later than 45 days after the date of enactment of
9 the Digital Television Consumer Education Act of
10 2007—

11 “(A) any retail distributor that displays for
12 sale or rent any analog-only television sets shall
13 place conspicuously in the vicinity of such tele-
14 vision sets a sign containing, in clear and con-
15 spicuous print, the consumer alert described in
16 paragraph (2); and

17 “(B) any retail distributor that offers for
18 sale or rent such television sets via direct mail,
19 catalog, or electronic means shall prominently
20 display in the vicinity of all advertisements or
21 descriptions of such television sets, in clear and
22 conspicuous print, the consumer alert described
23 in paragraph (2).

1 “(2) DIGITAL TELEVISION TRANSITION INFOR-
2 MATION.—The consumer alert required by this para-
3 graph shall read as follows:

4 “**CONSUMER ALERT**

5 ““This TV has only an analog broadcast
6 tuner and will require a converter box after
7 February 17, 2009, to receive over-the-air
8 broadcasts with an antenna because of the Na-
9 tion’s transition to digital broadcasting. The TV
10 should continue to work as before with cable
11 and satellite TV services, gaming consoles,
12 VCRs, DVD players, and similar products. For
13 more information, call the Federal Communica-
14 tions Commission at 1-888-225-5322 (TTY: 1-
15 888-835-5322) or visit the Commission’s digital
16 television website at: www.dtv.gov.”

17 “(3) MVPD OUTREACH.—During the period be-
18 ginning May 1, 2007, and ending February 17,
19 2009, each multichannel video programming dis-
20 tributor (as such term is defined in section 602 of
21 this Act) shall include a notice in any monthly or
22 other periodic bill that informs consumers of—

23 “(A) the digital television transition; and

24 “(B) the options consumers have after the
25 transition to continue to receive broadcast pro-

1 gramming, including over the air or through a
2 multichannel video programming distribution
3 service.

4 “(4) BROADCASTER OUTREACH.—During the
5 period beginning on May 1, 2007, and ending No-
6 vember 3, 2008, each full-power commercial tele-
7 vision broadcast licensee or permittee shall file, at
8 least once every 90 days, either individually or joint-
9 ly (such as through an association), a report with
10 the Commission indicating the steps each such li-
11 censee or permittee has taken during the preceding
12 90 days, and any steps such licensee or permittee
13 plans to take in the 90 days following the report, to
14 inform consumers of the information described in
15 subparagraphs (A) and (B) of paragraph (3). Each
16 such report shall indicate for each such licensee or
17 permittee the time, frequency, and content of any
18 public service announcements relating to the digital
19 television transition that it has aired, or that it has
20 not aired any.

21 “(5) PENALTY.—In addition to any other civil
22 or criminal penalty provided by law, the Commission
23 may issue civil forfeitures for violations of the re-
24 quirements of this subsection in an amount equal to

1 not more than 3 times the amount of the forfeiture
2 penalty established by section 503(b)(2)(A).

3 “(6) SUNSET.—The requirements of this sub-
4 section shall cease to apply on December 1, 2009.

5 “(7) DEFINITION.—For the purposes of this
6 subsection, the term ‘analog-only television set’
7 means any apparatus that—

8 “(A) is designed to receive broadcast tele-
9 vision signals;

10 “(B) has an integrated display screen or is
11 sold in a bundle with a display screen; and

12 “(C) is not capable of receiving broadcast
13 signals in the digital television service.”.

14 (b) COMMISSION OUTREACH.—

15 (1) IN GENERAL.—Not later than 30 days after
16 the date of enactment of this Act, the Federal Com-
17 munications Commission shall establish and main-
18 tain a digital television transition public outreach
19 program. The Commission may seek the assistance
20 of private entities, such as broadcasters, manufac-
21 turers, retailers, multichannel video programming
22 distributors, and consumer groups in administering
23 the program. The digital television transition public
24 outreach program shall educate consumers about—

25 (A) the digital television transition;

1 (B) the options consumers have after the
2 transition to continue to receive broadcast pro-
3 gramming, including over the air or through a
4 multichannel video programming distribution
5 service; and

6 (C) the converter-box program under sec-
7 tion 3005 of the Digital Television Transition
8 and Public Safety Act of 2005 (47 U.S.C. 309
9 note).

10 (2) WEBSITE.—The Commission shall maintain
11 and publicize a website, or an easily accessible page
12 on its website, containing the digital television tran-
13 sition public outreach information required under
14 paragraph (1), as well as any links to other websites
15 the Commission determines to be appropriate.

16 (3) DTV WORKING GROUP ON CONSUMER OUT-
17 REACH AND ASSISTANCE.—

18 (A) IN GENERAL.—Not later than 30 days
19 after the date of enactment of this Act, the
20 Federal Communications Commission shall es-
21 tablish an advisory committee, to be known as
22 the DTV Working Group, to consult with State
23 and local governments, providers of low-income
24 assistance programs, educational institutions,
25 community groups, and the National Tele-

1 communications and Information Administra-
2 tion to promote consumer outreach and assist-
3 ance regarding the digital television transition
4 and the converter-box program under section
5 3005 of the Digital Television Transition and
6 Public Safety Act of 2005 (47 U.S.C. 309
7 note).

8 (B) MEMBERSHIP.—The Federal Commu-
9 nications Commission shall invite to participate
10 in the DTV Working Group representatives of
11 groups involved with the transition to digital
12 television, including the Commission, the Na-
13 tional Telecommunications and Information Ad-
14 ministration, other relevant Federal agencies,
15 commercial and noncommercial television broad-
16 casters, multichannel video programming dis-
17 tributors, consumer electronics manufacturers
18 and manufacturers of peripheral devices, broad-
19 cast antenna and tuner manufacturers, retail
20 providers of consumer electronics equipment,
21 consumer groups, and public interest groups
22 (including the American Association of Retired
23 Persons and the Seniors Coalition). Members of
24 the DTV Working Group shall serve without
25 compensation and shall not be considered Fed-

1 eral employees by reason of their service on the
2 advisory committee.

3 (C) PURPOSES.—The purposes of the DTV
4 Working Group are—

5 (i) to provide ongoing advice to the
6 Federal Communications Commission in
7 creating and implementing the public out-
8 reach program under this subsection;

9 (ii) to advise the Commission about
10 the procedures of the public outreach pro-
11 gram including, at a minimum, rec-
12 ommended procedures for public service
13 announcements by broadcasters, toll-free
14 information hotlines, and retail displays or
15 notices; and

16 (iii) to provide to the Commission reg-
17 ular DTV Progress Reports that reflect
18 ongoing and planned efforts by the private
19 sector, both nationally and in individual
20 television broadcast markets, to inform
21 consumers about the digital television tran-
22 sition.

23 (e) CONVERTER-BOX ENERGY STANDARDS.—Section
24 3005 of the Digital Television Transition and Public Safe-

1 ty Act of 2005 (47 U.S.C. 309 note) is amended by adding
2 at the end the following new subsection:

3 “(e) CONVERTER-BOX ENERGY STANDARDS.—

4 “(1) ENERGY STANDARDS.—Not later than 90
5 days after the date of enactment of the Digital Tele-
6 vision Consumer Education Act of 2007, the Assist-
7 ant Secretary of Commerce for Communications and
8 Information shall establish energy consumption
9 standards applicable to digital-to-analog converter
10 boxes (as defined in subsection (d)) in order for such
11 boxes to qualify for purchase with coupons made
12 available under this section.

13 “(2) INAPPLICABILITY.—Notwithstanding any
14 other provision of law, the standards described in
15 paragraph (1) shall be the exclusive energy con-
16 sumption standards for converter boxes manufac-
17 tured or imported for use in the United States on
18 and after the effective date established by the Assist-
19 ant Secretary and until January 1, 2010.”.

20 **SEC. 3. PROGRESS REPORTS.**

21 (a) During the period beginning on June 1, 2007,
22 and ending on December 1, 2008, the Federal Commu-
23 nications Commission shall submit a report, not less than
24 once every 180 days, to the Committee on Energy and
25 Commerce of the House of Representatives and the Com-

1 mittee on Commerce, Science, and Transportation of the
2 Senate. Such reports shall include information regard-
3 ing—

4 (1) the status of the Commission's international
5 coordination efforts with Canada and Mexico of the
6 digital television service table of allotments; and

7 (2) the Commission's consumer education ef-
8 forts, as well as the consumer education efforts of
9 broadcasters, multichannel video programming dis-
10 tributors, consumer electronics manufacturers, re-
11 tailers, and consumer groups.

12 (b) During the period beginning on April 1, 2008,
13 and ending on October 1, 2009, the Assistant Secretary
14 of the National Telecommunications and Information Ad-
15 ministration shall submit a report, not less than once
16 every 90 days, to the Committee on Energy and Commerce
17 of the House of Representatives and the Committee on
18 Commerce, Science, and Transportation of the Senate
19 summarizing the progress of coupon distribution and re-
20 demption under Section 3005 of the Digital Television
21 Transition and Public Safety Act of 2005 (47 U.S.C. 309
22 note), including—

23 (1) the number of coupons distributed and re-
24 deemed;

- 1 (2) the amount of time it takes for coupons to
- 2 be distributed and redeemed; and
- 3 (3) the cost of the coupons and administrative
- 4 costs, to date.